



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David John Zanzig, et al.

For: TIRE WITH TREAD OF CIS 1,4-

POLYBUTADIENE RICH RUBBER

COMPOSITION WHICH CONTAINS A

FUNCTIONAL STYRENE/BUTADIENE

ELASTOMER, SILICA AND SOUPLING

AGENT

Serial No. 10/651,695

Filed: August 29, 2003

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Confirmation No.: 9202

Docket No.: DN2002135

Art Unit: 1713

Examiner: Rip A. Lee

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION**

Dear Sir:

The Petitioner, The Goodyear Tire & Rubber Company, having its principal place of business in Akron, Ohio, through its duly authorized agent, represents that it is the assignee of the entire right, title and interest in and to the above referenced application and co-pending United States Application No. 10/628,679. Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration of co-pending U.S. Patent Application No. 10/651,695. The Petitioner hereby agrees that any patents so granted on the above identified application shall be enforceable only for and during such periods that legal title to said patent shall be the same as the legal title to co-pending U.S. Application No. 10/628,679. This Agreement to run with any patent granted on the above identified application and to be binding upon the grantee, its successors and assigns.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THE GOODYEAR TIRE & RUBBER COMPANY

Date: April 11, 2005

By: 

Name: Bruce J. Hendricks

Title: Associate General Counsel Intellectual Property Law